IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CITYNET, LLC, on behalf of the United States of America,	
Plaintiff/Relator,	Ciril Action No. 2:14 CV 15047
v.)	Civil Action No.: 2:14-CV-15947
FRONTIER WEST VIRGINIA INC., a)	Judge: Copenhaver
West Virginia corporation, KENNETH)	
ARNDT, individually, DANA WALDO,	
Individually, MARK McKENZIE,	
Individually, JIMMY GIANATO ,	
individually, and GALE GIVEN,)	
individually,)	
)	
Defendants.	

CITYNET, LLC'S RESPONSE TO THE STATE OF WEST VIRGINIA'S MOTION TO INTERVENE

The State of West Virginia has moved to intervene in this matter for the sole purpose of recouping the monetary payments it has already paid to the federal government based upon the allegations contained in Citynet LLC's First Amended Complaint. In essence, the State of West Virginia's position is that it should be allowed to recoup its payments in the event the Federal Government recovers a second time for the claims upon which it has already received payment from the State of West Virginia.

Citynet, LLC has no objection to the State of West Virginia's Motion to Intervene so long as two conditions are met: 1) the intervention does not interfere with or impede Citynet's ability to lead the prosecution of this case as Relator; and 2) the intervention does not affect Citynet's ability to fully recover any and all fees, costs or other amounts to which it is statutorily entitled should it prevail in this matter.

WHEREFORE, Citynet requests that this Court grant the State of West Virginia's Motion to Intervene with the requirement that said intervention does not impede or impair Citynet's ability to prosecute this matter or collect amounts to which is may be statutorily entitled.

Respectfully submitted,

CITYNET, LLC

/s/ Rebecca Pomeroy

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CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of November, 2019, I electronically filed the foregoing *Citynet, LLC's Response to the State of West Virginia's Motion to Intervene* using the Court's CM/ECF system, and/or via US Mail to be served upon the following:

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